

# Graham Speirs, Sheriff of Midlothian, and his contribution to the Free Church of Scotland

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The year 1847 was one of loss for the Free Church of Scotland. The sudden death in May of its founding father, Thomas Chalmers, came at a crucial time in its efforts to establish itself. In September, the advocate John Hamilton died. A pamphleteer and influential adviser, Hamilton ranked alongside Alexander Dunlop and Graham Speirs as the most prominent of the Free Church's laymen. November saw the death of Alexander Stewart of Cromarty. A gifted preacher, Stewart might have risen to a position of greater prominence in the church, but for his retiring nature. In spite of this, he still managed to establish a considerable reputation without ever leaving the parish to which he was ordained in 1824. As the year drew towards a close, another blow fell. On Christmas Eve, and at the age of only fifty, Graham Speirs, Sheriff of Midlothian, finally succumbed to illness at his home, Granton House. The cause of death was given as "a malignant form of typhus"<sup>1</sup> but the fatal sequence of events was triggered by a bout of influenza in November, from which he had apparently recovered, only to relapse thereafter. In a strictly private ceremony on 30 December, Speirs was interred at Edinburgh's Grange Cemetery, close to the grave of Dr Chalmers, the event marking the end of a melancholy year. He was survived by his wife and an only daughter. At the time his service to his church, as its leading layman, was fully recognised and his importance as a public figure was unchallenged. The succeeding years, however, failed to keep alive his memory in quite the same way as other Free Church luminaries.<sup>2</sup> His early death and the relatively brief period of

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<sup>1</sup> *The Scotsman*, 29 December, 1847.

<sup>2</sup> There is no entry for Speirs in any modern biographical reference work other than the brief entry by R. H. Campbell in *The Blackwell Dictionary of Evangelical*

prominence he enjoyed in the Free Church contributed to this, but if his influence was short-lived, it was also crucial.

Robert Cunningham Graham Speirs was born in June 1797, the second son of Peter Speirs (1761-1829) of Culcreuch and his wife Martha Harriett (d 1841), one of the Cunningham Grahams of Gartmore. Speirs opted to use the third of his Christian names so that, at first sight, it was not obvious that he was the product of two significant gentry families. His background and antecedents were to be of importance in his later work for the Free Church where, it was felt, he had the crucial advantage of dealing with unco-operative landowners on the basis of social equality. The Speirs family were what was termed mercantile gentry, having invested profits made as colonial merchants into the purchase of estates in Renfrewshire and Stirlingshire. The dynasty was established by Alexander Speirs (1714-1782), who had made a fortune in banking and the Glasgow tobacco trade.<sup>3</sup> This had allowed him to purchase a substantial town house, Virginia Mansion, in Glasgow in 1770. Speirs consolidated his numerous land purchases in Renfrewshire and a grand country seat, Elderslie House, was built over five years and completed in the year of his death. His fourth son Peter, the father of Graham Speirs, established a branch of the family at Culcreuch in Stirlingshire, having inherited the estate from his father<sup>4</sup>. He was also the proprietor of a local cotton spinning mill.

The Cunningham Graham family of Gartmore were of ancient and distinguished lineage and would later produce the colourful writer and author (and sometime President of the National Party of Scotland) Robert Bontine Cunninghame Graham (1852-1936) as well as Admiral

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*Biography 1730-1860*, ed. D. M. Lewis (Oxford, 1995). *Burke's Landed Gentry* is vague as to his date of birth and gives 1848 as his date of death. Sir F. J. Grant, *The Faculty of Advocates in Scotland 1532-1943* (Edinburgh, 1944) confuses his biographical details with those of his elder brother, Alexander Graham Speirs.

<sup>3</sup> T. M. Devine, *The Tobacco Lords* (Edinburgh, 1975).

<sup>4</sup> An unusually generous inheritance for a fourth son but made easier by his father's great wealth and by the fact that two of his older brothers died in 1772 and 1773.

Sir Angus Cunninghame Graham. In terms of his social standing, Graham Speirs further consolidated his position through marriage in 1832 to Catherine Anne Grant (d 1871), one of the Grants of Kilgraston in Perthshire, thus linking him to a third gentry family.

Details of his early life are sparse, but Speirs was said to have gone to the High School of Edinburgh, prior to attending a school in Warwickshire up to December 1811. He then entered the Royal Navy. Lord Cockburn states that he reached a lieutenancy, but there is no evidence to suggest that he progressed beyond the rank of midshipman, the traditional role of young gentlemen from good families. Speirs's length of service is also hard to establish. It is stated to have been five years and, customarily, five years of service was the minimum required before midshipmen could take the examination to pass for lieutenant. No passing certificate exists for him among the Admiralty records at The National Archives at Kew. During his naval service, it appears he befriended William Burnett (1798-1840), son of Sir Robert Burnett of Leys<sup>5</sup>. The two men appear together in the ship's muster for the *Newcastle* (60 guns) in 1817 and Speirs appears to have served in the ex-French prize *Revolutionaire* prior to that.<sup>6</sup>

One thing about Speirs's period of naval service is of particular note. It was during this period that Speirs showed a temperament in stark contrast to his later grave and sober character. Lord Cockburn put it thus

Speirs's later character makes it quite safe to allude to his earlier one. His life would not be turned to its right use were it not held out as another of the many examples of the propriety of never despairing of a young man too soon. He began in the navy, where he reached a lieutenancy; and though always active, gallant and popular, his wild irregularities and nearly constant disregard of discipline gave the utmost alarm to his friends. But from the

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<sup>5</sup> National Archives of Scotland, SC70/4/5. Speirs's will mentions a diamond ring left to him by Captain William Burnett R.N., which Speirs bequeathed in turn to his friend Sir William Gibson Craig (1797-1878).

<sup>6</sup> The National Archives, ADM 35/5777.

moment that he began his civil course he put on a new nature, and, aided by his friends Mungo Brown and John Shaw Stewart, both of whom preceded him by several years to the grave, matured that character of calm and resolute, but gentle honour and of pious thoughtfulness that distinguished all the three.<sup>7</sup>

Speirs now studied for the bar, to which he was admitted in 1820. A Whig in politics, he advanced under Francis Jeffrey, being appointed one of his advocates-depute after the election victory of 1830. In 1835 he was appointed Sheriff of Elgin and Moray, in which position it was still possible for him to maintain his practice as an advocate. However, the position of Sheriff of Midlothian, which he assumed in 1840, was deemed to be too demanding to allow scope for any other work, not least because of the numerous boards on which the sheriff was an *ex officio* member. He therefore gave up his practice at the bar. His interest in prison reform led him to be chairman of the Edinburgh Prison Board and a member of the General Board of Prisons of Scotland. Speirs also served on the kirk session of the High Church of Edinburgh, St Giles. Here he was influenced by the minister, Dr Robert Gordon, who was, like Speirs, a quiet man propelled reluctantly into controversy by his non-intrusion convictions.

Between them, indeed, there was a remarkable similarity – the same gravity of manner; the same wisdom and sagacity in counsel; and the same reticent demeanour, – but not the less prompt and decided in action in matters of conscience and duty.<sup>8</sup>

Thus, as the crisis in the Church of Scotland deepened, Speirs found himself not only at the peak of his professional prestige but also prominent in the public affairs of Edinburgh and active in its religious life. On the day of the Disruption he met with and joined the procession of seceding ministers as they made their way to the Tanfield Hall, and

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<sup>7</sup> H. Cockburn, *Journal of Henry Cockburn* (Edinburgh, 1874), ii. 206-7.

<sup>8</sup> J. A. Wylie, *Disruption Worthies* (Edinburgh, 1881), 449.



thus added the weight of his office to the occasion. Lord Cockburn, writing at the time, identified Speirs as one of the four most influential figures in the new church, along with Chalmers, Candlish and Dunlop. He described him as "... the apostolic Speirs, whose calm wisdom, and quiet resolution, and high-minded purity made his opinion conclusive with his friends and dreaded by his opponents. He had no ambition to be the flaming sword of his party, but in its darkest hours he was its pillar of light. Amidst all the keenness, and imputations, and extravagances of party, it never occurred to any one to impeach the motives, or the objects, or the sincerity of Graham Speirs".<sup>9</sup>

It was in May 1845 that Speirs assumed the most significant role in his service to the Free Church, as convener of a committee to investigate the problem of site-refusal. This issue bore particularly on congregations in remote locations or who were dependent on the goodwill of a single proprietor to grant sites for new churches. The most notorious cases included Wanlockhead and Canonbie on the estates of the Duke of Buccleuch and the Ardnamurchan estates of Sir James Riddell. In the latter case Speirs attempted dialogue but to no effect. He then outflanked the proprietor by the construction of an iron floating church, which was built on the Clyde, then towed to Loch Sunart and moored close to Strontian in the summer of 1846.<sup>10</sup> This was indicative of a strategy that combined patient negotiation and reasoned argument with a clear willingness to take decisive action when the former failed to produce results. The construction of floating churches was a solution to the sites problem with only a limited application. It was, however, the clearest sign of the lengths to which the Free Church, and Speirs in particular, were prepared to go in order to achieve their goals.

In the face of continuing difficulties, the Free Church sought relief from Parliament. A first appeal in 1845 yielded no result but a second in 1847 resulted in the appointment of a select committee to examine the

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<sup>9</sup> Cockburn, *Journal*, ii, 40.

<sup>10</sup> L. A. Ritchie, "The Floating Church of Loch Sunart" in *Records of the Scottish Church History Society*, xxii, 159-173.

whole question of site-refusal. The composition of the committee deserves some consideration. Its chairman was Edward Pleydell-Bouverie, son of the Earl of Radnor and member of parliament for Kilmarnock. The Free Church had a decided friend on the committee in the form of the Whig MP, Fox Maule. They also had an equally determined enemy in the shape of Sir James Graham.

Sir James's chroniclers have made little of his interest in Scottish church matters, perhaps considering the issue of little consequence when set against the great affairs of state. Sir James took it upon himself, in committee, to advance the viewpoint of the landed interest and to question the conduct and behaviour of the Free Church in the sites question. As character and conduct were of such importance to Sir James, it is worth considering his own. In the view of the *Oxford Dictionary of National Biography* "Graham's outlook was dominated by an often immoderate concern with the maintenance of public order, property, and government authority. But his arrogant executive hauteur sat uneasily with an evangelically inspired tendency to overreact to social turbulence, an ambivalence about responsibility, and a susceptibility to depression, self-doubt, and *anomie*. Distrusting the excesses of public opinion, he was inclined to exaggerate its radicalism and force." At least some of these traits were in evidence in committee.

One further observation may be made. Although it is not clear if either party was aware of it, Sir James Graham and Graham Speirs were both bearers of the same famous name and the baronet's seat, Netherby, lay just across the border in Cumberland. However distantly, ties of kinship were involved in the wider dispute.

In its evidence, the Free Church itself was able to field some formidable talent and did so in the form of, amongst others, Robert Gordon, Thomas Guthrie and Thomas Chalmers. It was Speirs, however, who appeared first (he was subjected to three examinations in all) and he established the mood with his skilled advocacy. The committee accumulated a great mass of evidence, published in three reports. A great deal of it seems repetitious, however. The pattern became clear in early exchanges, where Speirs was pressed to disavow the reported

opinions of some of his Free Church colleagues or the actions of supporters. These opinions and actions were generally of a kind so hostile to the established church, that they would justify proprietors in their refusal to grant sites to the Free Church. Speirs would not have been much of an advocate had he been unable to deal with the leading and often hypothetical questions he faced, though it is clear that colleagues, and Dr Candlish in particular, had offered some hostages to fortune.

While he mounted a steady defence in the face of such questioning, Speirs also made his own points trenchantly, as in the following exchange:

507. Sir J Graham.] The exercise of the right of property is a right which each man is responsible for?—I have not the least doubt of it.

508. Therefore in exercising that right each man must exercise his own judgment, and either stand or fall according to his own conscientious sense of that right?—I do not wish to enter into any metaphysical discussion upon that matter; but it appears to me that this matter of site-refusung is not one within the province of conscience at all. I regard the refusal of the means to enable people to exercise their worship of God in the way that their consciences dictate to them, as an act of persecution. I view it in that light, and I should say that conscience in that case is not a proper guide. I cannot doubt that in all the persecutions that have taken place under the mask or motive of religion, that people have acted conscientiously, but I do not think that their conduct is on that account defensible.<sup>11</sup>

Speirs also made the point that, had he wished to inflict damage on the establishment, it would best have been achieved by the prolongation of the sites issue. His evident commitment to the prompt resolution of the

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<sup>11</sup> *First Report from the Select Committee on Sites for Churches (Scotland)* (London, 1847), 36.

question was thus the clearest evidence of goodwill on his part. What he didn't say, but is revealed in the Free Church accounts, is that in the year 1846-47 the sites committee spent the sum of £211 5s 8d, which was to meet the expenses of artists sent to areas of site-refusal.<sup>12</sup> They made sketches of scenes at Canonbie, Wanlockhead, Torosay (Mull), Strontian, Duthil, Cawdor and Ballater. These were then turned into beautifully-detailed lithographs and can be found in a published edition as the ironically-titled *Illustrations of the Principles of Toleration in Scotland*.<sup>13</sup> So Speirs could afford to appear magnanimous over site-refusal, as he had already exploited the issue for all it was worth.

Yet not everyone was receptive to Speirs's pleas. In a published exchange of letters in the *Edinburgh Advertiser* on the issue of sites in the parish of Oyne in Aberdeenshire James Elphinstone Dalrymple expressed his displeasure:

I must now close this long epistle by giving Mr Speirs a word of advice. He will find in future negotiations that he will succeed much better in his object by laying aside the learned counsel, and going straight to the point; sparing his friends those homilies on toleration which may command a cheer in a popular assembly, but carry very small weight with those who have learnt by experience to measure worth by deeds, not words.<sup>14</sup>

Speirs responded and concluded his reply with equal asperity:

I leave it for others to judge whether my conduct in this matter has been straightforward or no; but I may add, that for the opinion of any one who, like Mr Dalrymple, has still to learn that assertions

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<sup>12</sup> *Fifth Report on the Public Accounts of the Free Church of Scotland* (1848), 21.

<sup>13</sup> Three of these, for Wanlockhead, Duthil and Ballater, were re-used in T. Brown, *Annals of the Disruption* (Edinburgh, 1893) but the reduction involved does little justice to the quality of the originals.

<sup>14</sup> *Third Report from the Select Committee on Sites for Churches (Scotland)* (London, 1847), 193.



are not facts, and that weak arguments are not improved by strong language, I am quite indifferent.<sup>15</sup>

In the last summer of his life Speirs displayed his commitment to another worthy cause, that of ragged schools. Here he displayed a particular loyalty to Thomas Guthrie, based in large measure on the two men's shared views. He spoke at the public meeting at the Music Hall in Edinburgh on 2nd July, a meeting called after Guthrie's original plans for religious education in the schools was criticised for its perceived anti-Catholic bias. For Speirs and Guthrie the matter was a simple one, it was a question of making the Bible available to rescued street urchins and that those who provided this relief were surely both entitled and obliged to prescribe the means of religious instruction. This was somewhat disingenuous and at times the animus towards the Roman Catholic church showed through. Speirs himself made the point in relation to Catholic children, who made up a large proportion of Edinburgh's destitute and abandoned "And you are to remember that these poor people, if it be a point of conscience for their priests, though they may be poor in this country, are yet the poor of the richest hierarchy in the world."<sup>16</sup> On the following day Speirs wrote to the Whig MP, Fox Maule relishing the "Battle Royal" there had been, in the course of which "Guthrie outdid himself".<sup>17</sup>

By now Speirs was approaching the end of his earthly pilgrimage, though not the least shocking aspect of his death was that it came when he was at the height of his physical powers. The *Witness* described him as "A strong man, cut down in his strength" and as a "Lover of all manly sports and recreations".<sup>18</sup> A photograph, among those taken by David Octavius Hill and Robert Adamson, captured his robust figure in the aftermath of the Disruption, when Free Church ministers and elders became among the earliest subjects for portrait photography. The

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<sup>15</sup> *Ibid.*, 194.

<sup>16</sup> *Report of a Discussion regarding Ragged Schools...* (Edinburgh, 1847), 26.

<sup>17</sup> NAS, Dalhousie papers GD 45/14/641/14.

<sup>18</sup> *Witness*, 1 January 1848.

photographs were intended to be an aid to Hill in his massive painting of the Disruption but have assumed a value of their own in the time since.

Shortly after Speirs's death it was the turn of Thomas Guthrie to write to Fox Maule and he made clear the depths of his own feelings "I cannot say how deeply I have felt Mr Speirs's death. He was such a friend: I don't know whether I esteemed or loved him most. And then in the Church, what an ornament to religion, what a pillar of the temple! May the Lord give you and others in your place all the more grace, now, since a great standard-bearer and champion has been borne off the field. It melts my heart, and opens afresh the fountain of my tears, to think that we shall see his face no more".<sup>19</sup>

But the last word of his contemporaries on Speirs should go to Lord Cockburn, an assessment that is all the more valuable for its candour:

2<sup>nd</sup> January 1848. Graham Speirs, Sheriff of Midlothian, died, to the great regret of everybody, but especially of the thoughtful, on the 24<sup>th</sup> ultimo. He was a most excellent and valuable man, and of a sort of which we have few. Sensible without what could be called talent, intelligent without learning, effective in plain speech without eloquence, and industrious without slavery, he had all the qualities necessary for practical use, with an almost total exemption from all those calculated for exhibition or ornament .... I don't think I ever knew a layman (Lord Moncreiff not excepted) to whom such religious authority attached in virtue of mere solemnity of character and gravity of manner. Had he lived during the Civil War he would have been one of Cromwell's colonels. Tall, serious, honest, pious, and very dark, with lofty objects and pure principles, a sound head and a generous heart, Speirs could have been a second, had he not been the first, Colonel Hutchinson.

The Free Church has really been very unfortunate. Welsh, Chalmers, and Speirs-these are severe losses. Speirs was their

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<sup>19</sup> *Autobiography of Thomas Guthrie DD and Memoir by his sons* (London, 1874), ii, 135.

weightiest layman. Inferior with the pen to Dunlop, and therefore, perhaps, less fitted to arrange and lead the battle, he was above him in the task of calmly consolidating the victory.<sup>20</sup>

Speirs's legacy to the Free Church was threefold. As was constantly emphasised, by birth he came from among the best families in the land. This was reinforced by the social connections he made to other gentry families from his schooldays, through his naval service, when called to the bar and through marriage. Hitherto, it had been characteristic of seceding churches that their adherents came from the more humble ranks of Scottish society. With men of the calibre of Speirs among its laity, the Free Church was certainly not at any social disadvantage to the establishment.

Second, while the Free Church could glory in its clergy, boasting as it did men of the calibre of Chalmers, Cunningham, Candlish and Guthrie, Speirs made it clear that the church's moral authority was not restricted to its ministry. There was a powerful laity as well and this was a strong consideration as the Free Church sought the moral high ground in its relations with the Church of Scotland.

Finally, there was the practical aid Speirs had given through his service to the sites committee. By the time of his death the sites issue was not resolved, but it was clear that the trend of events was moving in the right direction. The mixture of skilled advocacy and patient negotiation was bearing fruit. In parallel with that policy Speirs had acted decisively to win the propaganda battle, through the construction of an iron floating church and by the lithographs he commissioned of scenes of site-refusal. The folklore thus created, of the Free Church's early days of suffering and struggle, would serve it well for the rest of the century.

*London*

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<sup>20</sup> Cockburn, *Journal*, ii, 205-6.

